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United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF PLANT INDUSTRY

JULY, 1926

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JOINT REGULATIONS (THIRD REVISION) OF THE SECRETARY OF THE TREASURY AND THE SECRETARY OF AGRICULTURE UNDER THE FEDERAL SEED ACT (FORMERLY DESIGNATED "THE SEED IMPORTATION ACT"), APPROVED AUGUST 24, 1912, AS AMENDED AUGUST 11, 1916, AS AMENDED APRIL 26, 1926¹

The seed importation act of August 24, 1912, was amended August 11, 1916, by adding rye grass and vetch to the seeds subject to the act and by prohibiting the entry of seed containing less than a specified percentage of pure, live seed, and on April 26, 1926, by requiring the coloring of seeds of alfalfa and red clover, eliminating redtop, and adding broomcorn millet and early fortune millet to the second proviso of section 1.

The regulations of the Secretary of the Treasury and the Secretary of Agriculture issued as Treasury Decision No. 36746, October 30, 1916, as amended, are hereby amended to read as follows:

Regulation 1.—Short Title of the Act

The act "To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, as amended August 11, 1916, and April 26, 1926, shall be known and referred to as "The Federal seed act."

Regulation 2.—Definitions²

- (a) *Clover*.—The term "clover" includes only:
- | | |
|---------------------------|-----------------|
| Trifolium hybridum..... | alsike clover. |
| Trifolium incarnatum..... | crimson clover. |
| Trifolium pratense..... | red clover. |
| Trifolium repens..... | white clover. |
- (b) *Dodder*.—The term "dodder" includes all species of *Cuscuta*.
- (c) *Millet*.—The term "millet" includes only:
- | | |
|---|-----------------------------|
| Chaetochloa italica (<i>Setaria italica</i>)..... | Hungarian or German millet. |
| Panicum miliaceum..... | broomcorn millet. |

¹ These regulations will be promulgated by the United States Treasury Department in the series of Treasury Decisions.

² The technical plant names in the lists herein given are those in use by the United States Department of Agriculture. In cases where these names are not those recognized in the Index Kewensis, the Kew name follows in parentheses. The common names are not complete and are given only by way of explanation.

Kentucky bluegrass, awnless brome grass, millet, orchard grass, rape, rye grass, timothy, clover, meadow fescue, and vetch when entered for consumption, whether or not a consular invoice is presented on the entry thereof.

(b) Samples of shipments of barley, buckwheat, field corn, Kafir corn, sorghum, flax, broomcorn millet, early fortune millet, oats, rye, and wheat shall be drawn and forwarded only when the Bureau of Plant Industry shall make specific request for such samples.

Regulation 4.—Drawing Samples

(a) When a shipment consists of a single lot of five sacks or less, each sack shall be sampled.

(b) When a shipment consists of a single lot of more than five sacks, every fifth sack, but not less than five sacks, shall be sampled.

(c) When a shipment consists of several lots, each lot shall be sampled as provided in *a* and *b* of this regulation.

(d) On request additional samples shall be drawn.

(e) The seed from the sacks sampled shall be made into a composite sample.

(f) Each 200 sacks shall be represented by a composite sample.

NOTE.—Delays in sampling shipments considerably in excess of 200 bags will be greatly reduced if importers will arrange with their foreign shippers to subdivide these lots and mark them so that each 200 sacks shall bear a distinctive shipping mark.

(g) Recleaned seeds shall be sampled as provided in paragraphs *a*, *b*, *c*, *d*, *e*, and *f* of this regulation.

(h) Samples shall be taken from each sack of screenings or refuse resulting from cleaning in bond of seeds imported subject to the act.

(i) The sample from each sack of cleanings or refuse shall be placed in a separate container which shall be marked with the weight of the screenings contained in the sack from which it was taken in addition to other identifying marks.

(j) Accompanying the composite samples shall be a statement containing the following information:

Port of entry	Entry No.
Date of entry	Invoice No.
Invoked at	
Kind of seed	
Consignor	
Address of consignor	
Entered by	
Ultimate consignee	
Address of consignee	
Quantity of each lot by weight	
Price	Value
Distinguishing mark	
Steamer or car	
Evidence as to the country in which seed of alfalfa and/or red clover was grown	

Regulation 5.—Samples, Where Sent

All samples drawn under regulation 4 shall be forwarded to the respective seed laboratories under which the ports are grouped in the following list of seed-laboratory districts, unless otherwise specifically requested by the Bureau of Plant Industry.

1. *Seed Laboratory, United States Department of Agriculture, Washington, D. C.*—All ports in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana, and the ports of Chicago, Ill., and Port Huron and Detroit, Mich.

2. *Seed Laboratory, Purdue University, La Fayette, Ind.*—All ports in the States of Indiana, Illinois (except the port of Chicago), Kentucky, Tennessee, Wisconsin, Minnesota, and Michigan (except Port Huron and Detroit).

3. *Seed Laboratory, Agricultural Experiment Station, Columbia, Mo.*—All ports in the States of Iowa, Missouri, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Colorado, Texas, and New Mexico.

4. *Seed Laboratory, Agricultural College, Corvallis, Oreg.*—All ports in the States of Montana, Wyoming, Idaho, Washington, and Oregon.

5. *Seed Laboratory, California State Department of Agriculture, Sacramento, Calif.*—All ports in the States of California, Nevada, Utah, and Arizona.

Regulation 6.—Notice to Consignee

(a) No notification that samples have been drawn will be given when samples are drawn under regulation 3, paragraph *a*, and the remainder of the shipment shall be held intact pending a decision of the Bureau of Plant Industry in the matter.

(b) The collector of customs shall immediately notify the consignee that samples of seeds under regulation 3, paragraph *b*, have been drawn and that the remainder of the shipment must be held intact pending a decision of the Bureau of Plant Industry in the matter.

Regulation 7.—Examination of Seeds—Delivery in Bond

After samples of seed offered for importation into the United States from any foreign country have been drawn, such seed shall be admitted only after the seed has been found to be neither adulterated nor unfit for seeding purposes within the meaning of the act and to have been colored as required by regulation 8: *Provided, however*, That collectors of customs may deliver to consignees shipments which have been sampled, on the execution of a bond in a sum equal to the invoice value of the seed, together with the duty thereon, if any, conditioned upon the return of the shipments, or any part thereof, to the collector when demanded by him for any reason. An amount equal to the sum named in the bond, and such part of the duty, if any, as may be payable, will be collected as liquidated damages for failure to return to the collector on demand any part of the seed or any part of the cleanings or refuse from the seed.

Regulation 8.—Kinds and Proportion of Seeds to be Colored

(a) Except as provided in paragraph *c* or *d* of this regulation, the importation into the United States of seeds of alfalfa or red clover, or any mixture of seeds containing 10 per cent or more of the seeds of alfalfa and/or red clover, is prohibited, unless at least 1 per cent of the seeds in each container is stained with the color required by paragraph *b* of this regulation.

(b) Except as provided in paragraph *c* or *d* of this regulation, the seeds of alfalfa or red clover and any mixture of seeds containing 10 per cent or more of the seeds of alfalfa and/or red clover grown in Canada shall be colored iridescent violet, and such seeds grown in any other country or region shall be colored green.

(c) Whenever the Secretary of Agriculture, after a public hearing, determines that seed of alfalfa or red clover from any foreign country or region is not adapted for general agricultural use in the United States, he shall publish such determination, and on and after the expiration of 90 days after the date of such publication and until such determination is revoked the importation into the United States of any such seeds or of any mixture of seeds containing 10 per cent or more of such seeds of alfalfa and/or red clover is prohibited, unless at least 10 per cent of the seeds in each container is stained a red color.

(d) The importation into the United States of seeds of alfalfa or red clover or any mixture of seeds containing 10 per cent or more of the seeds of alfalfa and/or red clover, which is not accompanied by the evidence specified in regulation 11, is prohibited, unless at least 10 per cent of the seeds in each container is stained a red color.

Regulation 9.—Method of Coloring Seeds

(a) Coloring matter used shall be in the form of an alcoholic solution of such strength as to color the seeds distinctly with the colors prescribed in paragraphs *b*, *c*, and *d* of regulation 8.³

(b) Coloring matter must be so applied that the colored seed will be distributed throughout the seed in the container.

³ Satisfactory coloring has resulted from the use of solutions made with 95 per cent alcohol of the following dyes in the strengths indicated: Iridescent violet, 1½ per cent Crystal violet base, oleate; red, 1 per cent Rhodamine B base, oleate; green, 1½ per cent Malachite green base, oleate. Other dyes producing the same coloring on the seed may be used.

Regulation 10.—Coloring Seeds Under Customs Supervision

(a) Seed required to be colored under regulation 8 may be colored under customs supervision and in the presence and under the direction of a customs representative.

(b) Seed claimed by the importer to have been colored, and upon sampling found not to be colored as required by regulation 8, at the option of the importer may be colored as provided in paragraph a, or the shipment may be bulked and thoroughly mixed by the importer and resampled.

(c) No seed shall be colored under customs supervision until notice of the color to be applied has been received from the Bureau of Plant Industry.

Regulation 11.—Evidence as to Country or Region Where Seed Was Grown

(a) A certificate, attached to the consular invoice, of the properly authorized official of the foreign country in which the seed was grown, to the effect that the seed of alfalfa or the seed of red clover or any mixture of seeds containing 10 per cent or more of the seed of alfalfa and/or red clover was grown in that country, will be regarded as prima facie evidence of such fact. This certificate shall be in the following form:

Foreign Official Seed Certificate

Place _____, city _____, country _____, date _____.

I, _____, (Name of official) _____, (Official title) _____, hereby certify that the seed of alfalfa _____
seed of red clover _____
mixtures containing 10 per cent or more of either or both seeds _____
described in consular invoice No. _____, to which this certificate is attached, was grown in the above-named country.

(Name of official)

(Official title)

(b) A declaration of the shipper attached to the consular invoice stating the country in which the seed of alfalfa or the seed of red clover or any mixture of seeds containing 10 per cent or more of the seed of alfalfa and/or red clover was grown, will be regarded as prima facie evidence of such fact. The form of declaration shall be as follows:

Form No. ----—Consular

Declaration of shipper of seed of alfalfa or red clover or mixtures of seed containing 10 per cent or more of either or both of such seeds.

Regarding shipment covered by consular invoice No. _____. Certified at _____, _____, on _____, 19____.

I, the undersigned, _____, the _____, (Name) _____, (Seller or owner, or agent of seller or owner) _____ of the seed mentioned and described in the accompanying consular

invoice, certify that the seed was all grown in _____.

(If grown in one country, state name of country. If grown in more than one country, state name of countries and proportion of seed from each country)

and was exported from _____ (City) _____ and consigned to _____ (City)

(Signature)

(c) If the information contained in the certificate and declaration provided for in paragraphs a and b of this regulation is not sufficient to show the country or region of origin of the seed, or if the consular invoice is not accompanied by such certificate or declaration of shipper, other evidence may be submitted to show such facts, or the seed may be allowed entry in compliance with paragraph d of regulation 8.

Regulation 12.—Conditions for Release

If the Bureau of Plant Industry shall inform the collector that the seeds have been found to comply with the provisions of the act, the collector shall no longer detain the shipment under the act, and the bond given pursuant to regulation 7 shall be canceled; but if the seeds have been found not to comply with the provisions of the act, the collector may permit the importer to color and/or reclean the seeds under the bond required by regulation 7 at the expense of the importer, in accordance with regulations 4, 13, and 14.

Regulation 13.—Exportation

If the Bureau of Plant Industry shall inform the collector that the sample of the recleaned seeds is not satisfactory, or if the importer shall decline to reclean and/or color any shipment of seeds which the Bureau of Plant Industry has found not to comply with the provisions of the act or the requirements of these regulations, the collector shall refuse delivery of the shipment and require it to be exported under customs supervision.

Regulation 14.—Disposition of Refuse from Recleaning

1. If the Bureau of Plant Industry shall inform the collector of customs that the requirements of regulations 4 and/or 12 have been complied with, the seeds may be released to the owner or consignee only on condition that—

(a) The screenings and all other refuse shall have been destroyed under customs supervision; or

(b) The screenings and all other refuse shall have been ground or otherwise treated under customs supervision so as to render all seeds contained therein incapable of germination and the whole impossible of sale for seeding purposes; or

(c) The screenings and all other refuse shall have been sacked, weighed, sealed, and tagged for identification under customs supervision and retained for later destruction or further recleaning, subject to the conditions of the bond given pursuant to regulation 7 to secure return of the shipment.

2. The screenings and all other refuse retained in accordance with method 1, c, of this regulation may be recleaned at any time within 12 months from the date of the entry of the shipment. Unless recleaned within the said period of 12 months said screenings or other refuse shall be destroyed under customs supervision.

Regulation 15.—Mixture of Seed

Mixing any seed with a lot or shipment of seed offered for entry which has been found to be in violation of the Federal seed act or of these regulations is prohibited, except that in cases where it shall appear to the satisfaction of the Bureau of Plant Industry that two or more such lots or shipments of seed offered for entry are of substantially the same quality and origin, they may be mixed for the purpose of recleaning upon a written permit of the Bureau of Plant Industry, provided that the different lots or shipments are covered by the same bond.

Regulation 16.—Notice of Removal from Port of Entry

The collector of customs will notify the Bureau of Plant Industry whenever seed which has been sampled under the Federal seed act is moved from one port to another port before being finally released.

Regulation 17.—Disposition of Detained Shipment

The collector of customs shall inform the Bureau of Plant Industry of the disposition made of every shipment detained under these regulations.

Regulation 18.—Failure to Export

Should the importer fail to export within 12 months from the date of refusal of delivery any seeds the delivery of which has been refused under these regulations, the collector shall report the facts to the Secretary of the Treasury and to the United States district attorney.

Regulation 19.—Report of Violation

The collector of customs shall report to the Secretary of the Treasury and to the United States district attorney any violation of the Federal seed act which may come to his knowledge.

Regulation 20.—Request for Review

Requests for review of the findings of the Bureau of Plant Industry should be addressed to the Director of Regulatory Work, United States Department of Agriculture, Washington, D. C.

Regulation 21.—Forwarding of Samples of All Forage-Plant Seeds

Irrespective of the foregoing regulations, collectors of customs will forward to the Seed Laboratory, United States Department of Agriculture, Washington, D. C., 2-ounce samples of each lot of all grass, clover, and other forage-plant seeds imported into the United States.

Regulation 22.—Taking Effect of Regulations

These regulations shall supersede all previous regulations under the seed importation act and shall take effect July 26, 1926.

C. F. MARVIN,
Acting Secretary of Agriculture.

GARRARD B. WINSTON,
Acting Secretary of the Treasury.

WASHINGTON, D. C., July 26, 1926.

THE FEDERAL SEED ACT⁴

AN ACT To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes (37 Stat. 506).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after six months after the passage of this act the importation into the United States of seeds of alfalfa, barley, Canadian bluegrass, Kentucky bluegrass, awnless brome-grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, reedtop, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this act is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however,* That such seeds may be delivered to the owner or consignee thereof under bond, to be recleaned in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further,* That this act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes, when shipped in bond through the United States or imported for the purpose of manufacture, but such shipment shall be subject to provisions of the act of August fifth, nineteen hundred and nine.

SEC. 2. That seed shall be considered adulterated within the meaning of this act—

First. When seed of red clover contains more than three per centum by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Second. When seed of alfalfa contains more than three per centum by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Third. When any kind or variety of the seeds, or any mixture described in section one of this act, contains more than five per centum by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided,* That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this act—

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa seed, respectively.

Second. When any kind or variety of the seeds or any mixture described in section one of this act contains more than three per centum by weight of seeds of weeds.

⁴ Formerly designated as "The seed importation act."

SEC. 4. That any person or persons who shall knowingly violate the provisions of this act shall be deemed guilty of a misdemeanor and shall pay a fine of not exceeding five hundred dollars and not less than two hundred dollars: *Provided*, That any person or persons who shall knowingly sell for seeding purposes seeds or grain which were imported under the provisions of this act for the purpose of manufacture shall be deemed guilty of a violation of this act.

Approved August 24, 1912.

FIRST AMENDMENT TO THE FEDERAL SEED ACT

[Extract from the Agricultural appropriation act of August 11, 1916 (Public No. 190—64th Congress)]

* * * and, hereafter, the provisions of said act approved August twenty-fourth, nineteen hundred and twelve, shall be applied to seed of vetch and ryegrass; and, hereafter, when any kind or variety or mixture of the seeds subject to the provisions of said act of August twenty-fourth, nineteen hundred and twelve, as hereby amended, shall contain less than sixty-five per centum of live, pure seed as distinguished from dead seed, chaff, dirt, other seeds, or foreign matter, such seeds or mixtures thereof shall be deemed unfit for seeding purposes within the meaning of said act approved August twenty-fourth, nineteen hundred and twelve, and the importation of such seed or mixture thereof is prohibited: *Provided, however*, That seed of Kentucky bluegrass and seed of Canada bluegrass shall not be considered unfit for seeding purposes when they contain fifty per centum or more of live, pure seed.

SECOND AMENDMENT TO THE FEDERAL SEED ACT

AN ACT To amend the act entitled "An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, as amended, and for other purposes (Public No. 151—60th Congress).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the act entitled "An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, as amended, is amended (a) by striking out the words "red top" wherever such words appear in such section and (b) by inserting, after the word "flax" in the second proviso of such section, a comma and the words "broomcorn millet, early fortune millet."

SEC. 2. Such act of August 24, 1912, as amended, is amended by adding at the end thereof the following new sections:

"5. (a) On and after the effective date of this subdivision the importation into the United States of seeds of alfalfa or red clover, or any mixture of seed containing 10 per centum or more of the seeds of alfalfa and/or red clover, is prohibited unless such seeds are colored in such manner and to such extent as the Secretary of Agriculture may prescribe and, when practicable, the color used shall indicate the country or region of origin.

"(b) Whenever the Secretary of Agriculture, after public hearing, determines that seeds of alfalfa or red clover from any foreign country or region are not adapted for general agricultural use in the United States he shall publish such determination. On and after the expiration of ninety days after the date of such publication and until such determination is revoked the importation into the United States of any such seeds, or of any mixture of seeds containing 10 per centum or more of such seeds of alfalfa and/or red clover, is prohibited, unless at least 10 per centum of the seeds in each container is stained a red color, in accordance with such regulations as the Secretary of Agriculture may prescribe.

"(c) The Secretary of the Treasury and the Secretary of Agriculture shall jointly prescribe such rules and regulations as may be necessary to prevent the importation into the United States of any seeds the importation of which is prohibited.

"(d) Subdivision (a) of this section shall become effective upon the expiration of thirty days after the date of the passage of this amendatory act.

"SEC. 6. (a) No person shall transport, deliver for transportation, sell, or offer for sale, in interstate commerce, any seed which is misbranded within the meaning of this section; except that this section shall not apply to any

common carrier in respect of any seed transported or delivered for transportation in the ordinary course of its business as a common carrier.

"(b) Any misbranded seed shall be liable to be proceeded against in the district court of the United States for any judicial district in which it is found, and to be seized for confiscation by a process of libel for condemnation, if such seed is being—

"(1) Transported in interstate commerce; or

"(2) Held for sale or exchange after having been so transported.

"(c) If such seed is condemned by the court as misbranded, it shall be disposed of in the discretion of the court—

"(1) By sale; or

"(2) By delivery to the owner thereof upon the payment of the legal costs and charges, and the execution and delivery of a good and sufficient bond to the effect that such seed will not be sold or disposed of in any jurisdiction contrary to the provisions of this act or the laws of such jurisdiction; or

"(3) By destruction.

"(d) If such seed is disposed of by sale, the proceeds of the sale, less the legal costs and charges, shall be paid in to the Treasury as miscellaneous receipts.

"(e) Proceedings in such libel cases shall conform, as nearly as may be, to suits in rem in admiralty, except that either party may demand trial by jury on any issue of fact if the value in controversy exceeds \$20; and facts so tried shall not be reexamined other than in accordance with the rules of the common law. All such proceedings shall be at the suit and in the name of the United States. The Supreme Court of the United States and, under its direction, other courts of the United States are authorized to prescribe rules regulating such proceedings in any particular not provided by law.

"(f) As used in this section—

"(1) The term 'person' means individual, partnership, corporation, or association;

"(2) The term 'interstate commerce' means commerce between any State, Territory, or possession, or the District of Columbia, and any other State, Territory, or possession, or the District of Columbia; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia; and

"(3) The term 'district court of the United States' includes any court exercising the powers of a district court of the United States.

"(g) For the purposes of this section, seed shall be held to be misbranded if—

"(1) The container thereof, or the invoice relating thereto, or any advertising pertaining thereto, bears or contains any statement, design, or device that is false and fraudulent; or

"(2) If such seed is required to be colored, under the provisions of section 5 and the regulations issued thereunder, and is not so colored; or

"(3) If such seed is colored in imitation of seed required to be colored under the provisions of section 5 and the regulations issued thereunder.

"(h) The Secretary of Agriculture is authorized to prescribe such regulations as may be necessary for carrying out the provisions of this section.

"(i) This section shall take effect upon the date of the passage of this amendatory act; but no penalty or condemnation shall be enforced for any violation of this section occurring within thirty days after such date."

Approved April 26, 1926.

NOTICES ISSUED UNDER SECTION 5 OF THE FEDERAL SEED ACT

No. 1.—Red-Clover Seed Grown in Italy Not Adapted for General Agricultural Use in the United States

(Effective on and after September 2, 1926)

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

I, William M. Jardine, Secretary of Agriculture, have determined that seed of red clover grown in Italy is not adapted for general agricultural use in the United States.

Now, therefore, under the authority conferred by the act of Congress of April 26, 1926, being an "Act to amend the act entitled 'An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes,' approved August 24, 1912, as amended, and for other purposes," and having duly given the public hearing as required thereby, I do hereby publish this fact.



Done at the city of Washington, this 3d day of June, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

No. 2.—Alfalfa Seed Grown in Turkestan Not Adapted for General Agricultural Use in the United States

(Effective on and after September 25, 1926)

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

I, William M. Jardine, Secretary of Agriculture, after a public hearing held in accordance with the provision of the act of April 26, 1926, being an "Act to amend the act entitled 'An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes,' approved August 24, 1912, as amended, and for other purposes," have determined that seed of alfalfa grown in the region generally known as Turkestan, comprising both Chinese Turkestan and the area formerly known as Russian Turkestan,⁵ is not adapted for general agricultural use in the United States, and hereby publish this determination.



Done at the city of Washington, this 26th day of June, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

No. 3.—Alfalfa Seed Grown in Africa Not Adapted for General Agricultural Use in the United States

(Effective on and after September 25, 1926)

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

I, William M. Jardine, Secretary of Agriculture, after a public hearing held in accordance with the provision of the act of April 26, 1926, being an "Act to amend the act entitled 'An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding pur-

⁵ There is little likelihood of confusion regarding the area designated as Chinese Turkestan. For the purposes of this notice, the area formerly known as Russian Turkestan will be considered to be that region in Central Asia bounded by the Caspian Sea on the west, by Persia and Afghanistan on the south, by Chinese Turkestan on the east, and by the forty-fifth parallel, N. L., on the north.

poses,' approved August 24, 1912, as amended, and for other purposes," have determined that seed of alfalfa grown in Africa is not adapted for general agricultural use in the United States, and hereby publish this determination.



Done at the city of Washington, this 26th day of June, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENT

BUREAU OF PLANT INDUSTRY

AUGUST, 1926

ADULTERATIONS AND MISBRANDING OF SEED OF KENTUCKY BLUEGRASS, ORCHARD GRASS, REDTOP, AND HAIRY VETCH IN 1925

During the calendar year 1925 seed of Kentucky bluegrass, orchard grass, redbtop, and hairy vetch was procured in the open market in accordance with the following paragraph in the act of Congress making appropriations for the United States Department of Agriculture:

Where such samples [seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market] are found to be adulterated or misbranded, the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale.

In carrying out the provisions of this act 1,457 mail samples and 411 purchased lots of seed were obtained. These were examined in the Seed-Testing Laboratory of the Bureau of Plant Industry and publication is here made of the results of the analyses of the samples found to be adulterated or misbranded, together with the names of the seedsmen by whom they were sold or offered for sale.

Of the 262 mail samples and 74 purchased lots of hairy-vetch seed obtained none were found to be either adulterated or misbranded.

Of the 495 mail samples and 102 purchased lots of Kentucky bluegrass seed obtained 23 lots were found to be either adulterated or misbranded. Canada bluegrass was the chief constituent of 18 lots. (See Table 1.)

Of the 300 mail samples and 90 purchased lots of orchard-grass seed obtained 16 lots were found to be either adulterated or misbranded. (See Table 2.)

Of the 400 mail samples and 145 purchased lots of redbtop seed obtained 27 lots were found to be either adulterated or misbranded. (See Table 3.)

TABLE 1.—Results of tests of samples of seed obtained in the open market as Kentucky bluegrass seed and found to be adulterated or misbranded

Seed offered for sale or sold as Kentucky bluegrass seed by—		Seed obtained by—	Seeds and inert matter found upon analysis of samples			
Name of dealer	Address		Kentucky bluegrass seed	Canada bluegrass seed	Other seeds	Dirt and chaff
			<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
Clossman Hardware Co.	Zanesville, Ohio.	Purchase (bulk)	0.79	87.49	0.76	10.96
Do.	do.	Mail (sample)	.90	89.14	.89	9.07
U. J. Cover	Mount Gilead, Ohio.	Purchase (bulk)	1.40	86.00	3.24	9.36
Everitt's Seed Store	227 West Washington Street, Indianapolis, Ind.	do.	.50	82.26	1.24	16.00
J. C. Haile & Sons	215 Walnut Street, Cincinnati, Ohio.	do.	45.46	23.94	1.94	28.66
Hayes Seed House	601 North Kansas Avenue, Topeka, Kans.	do.	55.75	0	22.79	21.46
Do.	do.	Mail (sample)	58.88	0	25.94	15.18
Klass Seed Store	Columbia, Mo.	Purchase (bulk)	1.80	80.02	1.81	16.37
Do.	do.	Mail (sample)	1.05	86.10	.55	12.30
North American Seed Co.	Milwaukee, Wis.	Purchase (bulk)	1.25	81.45	1.58	15.72
Do.	do.	Mail (sample)	1.26	77.23	1.04	20.47
P. Fred'k Obrecht & Son	1123 Light Street, Baltimore, Md.	Purchase (bulk)	1.69	78.79	.60	18.92
Do.	do.	Mail (sample)	4.76	75.88	.96	18.40
Plant Seed Co.	802 North Main Street, St. Louis, Mo.	Purchase (bulk)	49.77	12.99	2.53	34.71
Do.	do.	Mail (sample)	52.78	9.63	1.95	35.64
Russell-Heckle Seed Co.	26 South Front Street, Memphis, Tenn.	Purchase (bulk)	1.37	83.95	1.86	12.82
Do.	do.	Mail (sample)	.98	80.87	1.30	16.85
Swartwout & Shaver	4 East Genessee Street, Auburn, N. Y.	Purchase (bulk)	.87	85.81	3.07	10.25
Do.	do.	Mail (sample)	.80	87.69	3.29	8.22
Tucker-Mosby Seed Co.	60 South Front Street, Memphis, Tenn.	Purchase (bulk)	.27	90.45	1.84	7.44
Do.	do.	Mail (sample)	1.31	86.30	2.95	9.44
Job P. Wyatt & Sons Co.	Raleigh, N. C.	Purchase (bulk)	1.43	77.83	6.27	14.47
Do.	do.	Mail (sample)	.25	82.79	6.31	10.65

¹ Redtop, 22.06 per cent.² Redtop, 22.84 per cent.

TABLE 2.—Results of tests of samples of seed obtained in the open market as orchard-grass seed and found to be adulterated or misbranded

Seed offered for sale or sold as orchard-grass seed by—		Seed obtained by—	Seeds and inert matter found upon analysis of samples			
Name of dealer	Address		Orchard-grass seed	Rye grass or meadow fescue or both	Other seeds	Dirt and chaff
			<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
J. P. Barstow & Co.	23 Water Street, Norwich, Conn.	Purchase (bulk)	0	12.98	67.59	19.43
Do.	do.	Mail (sample)	0	18.25	61.00	20.75
Cashman Seed Co.	Owatonna, Minn.	Purchase (bulk)	0	98.60	.24	1.16
Do.	do.	Mail (sample)	0	98.06	.60	1.34
Do.	do.	Purchase (bulk)	1.35	97.30	.19	1.16
Do.	do.	Mail (sample)	0	98.27	.59	1.14
Fargo Seed House	Fargo, N. Dak.	Purchase (bulk)	0	94.10	3.69	2.21
Hayes Seed House	601 North Kansas Avenue, Topeka, Kans.	do.	0	89.85	6.41	3.74
Iowa Seed Co.	209 Walnut Street, Des Moines, Iowa.	do.	49.98	34.31	9.63	6.08
Do.	do.	Mail (sample)	44.19	35.61	7.03	13.17
People's Forwarding Co.	52 West First South Street, Salt Lake City, Utah.	Purchase (bulk)	57.79	32.16	1.40	8.65
Allen G. Quynn	Frederick, Md.	do.	57.74	0	24.08	18.18
Southern Seed and Supply Co.	23 North Alabama Street, Indianapolis, Ind.	do.	52.61	34.91	1.17	11.31
Do.	do.	Mail (sample)	0	0	91.57	8.43
Stoecker Seed Co.	223 South Washington Street, Peoria, Ill.	Purchase (bulk)	0	91.17	4.88	3.95
Do.	do.	Mail (sample)	0	81.64	6.46	11.90

¹ Timothy, 33.03 per cent; redtop, 27.97 per cent.² Timothy, 38.14 per cent; redtop, 15.47 per cent.³ Redtop, 84.98 per cent.⁴ Kentucky bluegrass, 23.19 per cent.

TABLE 3.—*Results of tests of samples of seed obtained in the open market as redtop seed and found to be adulterated or misbranded*

Seed offered for sale or sold as redtop seed by—		Seed obtained by—	Seeds and inert matter found upon analysis of samples			
Name of dealer	Address		Redtop seed	Timothy seed	Other seeds	Dirt and chaff
Bailey & Sons Co.....	Corner Fifth South and Third West Streets, Salt Lake City, Utah.	Purchase (bulk).....	Per ct. 84.00	Per ct. 5.59	Per ct. 0.40	Per ct. 10.01
Do.....	do.....	Mail (sample).....	82.88	6.41	.27	10.44
Do.....	do.....	Purchase (bulk).....	84.05	5.82	.44	9.69
Do.....	do.....	Mail (sample).....	82.70	6.29	.39	10.62
Bomberger Seed Co.....	Modesto, Calif.	Purchase (bulk).....	63.65	10.74	2.38	23.23
Henry Campbell.....	Seward, Nebr.	do.....	15.16	80.83	.34	3.67
Do.....	do.....	Mail (sample).....	24.15	68.89	1.13	5.83
Cottongim's Seed Store..	75 South Broad Street, Atlanta, Ga.	Purchase (bulk).....	77.20	5.89	4.76	12.15
Do.....	do.....	Mail (sample).....	76.00	6.19	5.03	12.78
Crabbs Reynolds Taylor Co.	Crawfordsville, Ind.	Purchase (bulk).....	61.27	20.85	4.78	13.10
Curry-Arrington Co.....	Rome, Ga.	do.....	76.23	7.66	2.50	13.61
Do.....	do.....	Mail (sample).....	75.34	7.63	2.16	14.87
The S. M. Fleming Co.....	Franklin, Tenn.	Purchase (bulk).....	66.33	12.92	3.49	17.26
Do.....	do.....	Mail (sample).....	73.45	8.95	1.32	16.28
Henry Field Seed Co.....	Shenandoah, Iowa.	Purchase (bulk).....	73.53	10.71	2.92	12.84
Klass Seed Store.....	Columbia, Mo.	do.....	62.32	22.54	.70	14.44
J. G. Peppard Seed Co...	1101 West Eighth Street, Kansas City, Mo.	do.....	68.41	15.93	2.57	13.09
Do.....	do.....	Mail (sample).....	72.56	10.04	2.67	14.73
Petersen Seed Co.....	709 Carroll Street, St. Louis, Mo.	Purchase (bulk).....	63.92	21.52	2.29	12.27
Do.....	do.....	Mail (sample).....	64.14	21.98	1.79	12.09
Rudy-Patrick Seed Co...	Northeast corner Ninth and Santa Fe Streets, Kansas City, Mo.	Purchase (bulk).....	75.79	6.01	1.72	16.48
Do.....	do.....	Mail (sample).....	64.72	12.46	1.15	21.67
Rocky Mountain Seed Co.	1325 Fifteenth Street, Denver, Colo.	Purchase (bulk).....	74.56	10.92	3.02	11.50
Do.....	do.....	Mail (sample).....	71.34	14.00	3.08	11.58
McVay's Seed Store.....	2117 Third Avenue, Birmingham, Ala.	Purchase (bulk).....	65.74	6.73	1.97	25.56
Do.....	do.....	Mail (sample).....	68.55	6.21	1.79	23.45
Western Seed House.....	Salina, Kans.	Purchase (bulk).....	77.21	8.63	2.58	11.58

The Bureau of Plant Industry of the United States Department of Agriculture will continue to examine and report promptly as to the presence of adulterants and dodder in any sample of seed submitted for that purpose. According to the location of the sender, these samples may be submitted to the Seed-Testing Laboratory at Washington, D. C., or to any of the following laboratories maintained through the cooperation of this department: Cooperative Seed-Testing Laboratory, California State Department of Agriculture, 1217 L Street, Sacramento, Calif.; Cooperative Seed-Testing Laboratory, Oregon Agricultural College, Corvallis, Oreg.; Cooperative Seed-Testing Laboratory, Purdue University Agricultural Experiment Station, La Fayette, Ind.; Cooperative Seed-Testing Laboratory, Missouri Agricultural Experiment Station, Columbia, Mo.

Approved.

W. M. JARDINE,
Secretary of Agriculture.

WASHINGTON, D. C., August 31, 1926.

